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JAN 30 2014

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA  
BY *[Signature]*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
DIVISION

no \$ paid

Zenas Fruge'

Civil Action No.

3:14-cv-0153 Sec P

Plaintiff

Prisoner # 18872

VS.

Judge

Larry Cox

Magistrate Judge

Defendant

**COMPLAINT**

**PRISONER CIVIL RIGHTS UNDER 42 U.S.C. § 1983**

**I. Previous Lawsuits**

a. Have you begun any other lawsuit while incarcerated or detained in any facility?

Yes  No

b. If your answer to the preceding question is "Yes," provide the following information.

1. State the court(s) where each lawsuit was filed (if federal, identify the District, if state court, identify the County or Parish):

\_\_\_\_\_

2. Name the parties to the previous lawsuit(s):

Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

3. Docket number(s): \_\_\_\_\_

4. Date(s) on which each lawsuit was filed: \_\_\_\_\_

5. Disposition and date thereof [For example, was the case dismissed and when? Was it appealed and by whom (plaintiff or defendant)? Is the case still pending?]:

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c. Have you filed any lawsuit or appeal in any federal district court or appeals court which has been dismissed?

Yes  No

If your answer to the preceding question is "Yes," state the court(s) which dismissed the case, the civil action number(s), and the reason for dismissal (e.g., frivolity, malice, failure to state a claim, defendants immune from relief sought, etc.).

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**II. a. Name of institution and address of current place of confinement:**

MADISON Detention Center, 158 Treatment Plant Rd, Tallulah LA 71282

b. Is there a prison grievance procedure in this institution?

Yes  No

1. Did you file an administrative grievance based upon the same facts which form the basis of this lawsuit?

Yes  No

2. If you did not file an administrative grievance, explain why you have not done so.

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3. If you filed an administrative grievance, answer the following question. What specific steps of the prison procedure did you take and what was the result? (For example, for state prisoners in the custody of the Department of Public Safety and Corrections: did you appeal any adverse decision through to Step 3 of the administrative grievance procedure by appealing to the Secretary of the Louisiana Department of Public Safety and Corrections? For federal prisoners: did you appeal any adverse decision from the warden to the Regional Director for the Federal Bureau of Prisons, or did you make a claim under the Federal Tort Claims Act?)

I filed the ARP with the facility, but the facility NEVER ANSWERED it

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Attach a copy of each prison response and/or decision rendered in the administrative proceeding.

**III. Parties to Current Lawsuit:**

a. Plaintiff, ZENAS Fruge

Address MADISON Detention Center, 158 Treatment Plant Rd, Tallulah LA 71282

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b. Defendant, Larry Cox, is employed as  
The Sheriff at Madison Detention Center.  
Defendant, Antonio Johnson, is employed as  
Warden Major at Madison Detention Center.  
Defendant, \_\_\_\_\_, is employed as  
\_\_\_\_\_ at \_\_\_\_\_.  
Additional defendants, \_\_\_\_\_  
\_\_\_\_\_

#### IV. Statement of Claim

State the FACTS of your case. Specifically describe the facts of each defendant. Include the names of all defendants, the condition(s) giving rise to this lawsuit, and the date(s) and place(s) where the incident(s) and/or condition(s) occurred. YOU ARE NOT TO FILE A COMPLAINT. FILE A COMPLAINT IN A FORTHCOMING FILING.

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where the  
FORTH  
FORTH

On November 7, 2013, I filed an ARP to Warden Major Johnson and Sheriff Larry Cox informing them that I'm a non-smoker. I am housed at a non-smoking facility but they sell cigarettes on the canteen. I'm locked in a dorm 24 hours a day with no ventilation. I constantly get sick with sinus and chest colds due to second hand smoke (ETS) "environmental Tobacco Smoke". I also am unable to order books or magazines to better myself mentally, due to censorship of publication. An, I've seen multiple people get beat up and stabbed. In which the end result is broken jaws, noses, and fractured eye sockets. Including myself and the guards never come in or stop it due to negligence and lack of security because they are under staffed. It's been almost three months and nobody has answered it. I'm emotionally distraught and paranoid. My amendment rights have been violated. Page 3 of 4 An, I've been exposed to future dea harmful Health Conditions.

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**V. Relief**

State exactly what you want the court to provide to you or do for you. Make no legal arguments. Cite no cases or statutes.

I request to be transferred to a non smoking dorm. I also request to be able to order books an monetary damages in the sum of 200,000 dollars.

**VI. Plaintiff's Declaration**

- a. I understand that if I am transferred or released, I must apprise the Court of my address, and my failure to do so may result in this complaint being dismissed.
- b. I understand that I may not proceed without prepayment of costs if I have filed three lawsuits and/or appeals that were dismissed on grounds that the action and/or appeal was frivolous or malicious, or failed to state a claim upon which relief may be granted, unless I am in imminent danger of serious physical injury.
- c. If I am located in a prison participating in the Electronic Filing Pilot Program, I consent to receive orders, notices and judgments by Notice of Electronic Filing.

Signed this 23 day of Jan., 20 14.

18872

Prisoner no. (Louisiana Department of  
Corrections or Federal Bureau of Prisons)

Barry Fay

Signature of Plaintiff

Zenas Fruge' #18872  
Building H, Dorm C, Bed #66  
158 Treatment plant Rd.  
Tallulah, LA. 71282

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COURT OF APPEALS  
WESTERN DISTRICT OF LOUISIANA  
BY BN

X RAY

Clerk, United States District Court  
Western District of Louisiana  
U.S. Courthouse  
300 Fannin St. Suite 1167  
Shreveport, LA. 71101-3083

